

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: August 15, 2011
POSITION: Neutral
SPONSOR: Sacramento Regional Transit District

BILL NUMBER: AB 716
AUTHOR: R. Dickinson

BILL SUMMARY: Transit Districts: Prohibition Orders

This bill would authorize the Sacramento Regional Transit District (SACRT) to designate inspectors to enforce transit laws on its system. This bill would eliminate the sunset date authorizing SACRT and the Fresno Area Express (FAX) to implement security measures, such as banning an individual from the use of transit facilities, and would add the Bay Area Rapid Transit District (BART), until January 1, 2015, as a transit district that may exercise these powers. This bill also would create a new crime by making the violation of a prohibition order a misdemeanor and clarify the definition of a transit-related property.

FISCAL SUMMARY

This bill has no fiscal impact to the state. This bill would create a state-mandated local program by requiring local agencies to enforce a new crime.

Under Section 6(b) of Article XIII B of the California Constitution, any costs to a unit of local government which result from legislation defining a new crime or changing an existing definition of a crime are not reimbursable by the state. In addition, Section 17556(g) of the Government Code provides that the Commission on State Mandates shall not find a reimbursable mandate in such legislation which eliminated a crime or changed the penalty for a crime. Therefore, any local government costs resulting from the mandate in this measure would not be state-reimbursable, because the mandate only involves the definition of a crime or the penalty for conviction of a crime.

COMMENTS

The Department of Finance is neutral on this bill because it would extend the existing authority transit districts use to maintain safety and deter misconduct on transit facilities. This program was created in 2008 with a sunset date of January 1, 2012. This bill would eliminate the sunset date for SACRT and FAX and would add BART to the list of transit districts. This bill would also allow SACRT to designate inspectors who have been properly trained to enforce specified transit laws.

According to the author's office, this program was intended as a way to address safety concerns raised by transit riders. The prohibition orders allow the transit district to prohibit access to its property should a person commit certain violations. Any person who violates the prohibition order would be guilty of a misdemeanor.

Analyst/Principal (0753) M. Robinson	Date	Program Budget Manager Mark Hill	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
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BILL NUMBER

AB 716

		SO	(Fiscal Impact by Fiscal Year)							
Code/Department		LA	(Dollars in Thousands)							
Agency or Revenue		CO	PROP						Fund	
Type		RV	98	FC	2011-2012	FC	2012-2013	FC	2013-2014	Code
2660/Caltrans		SO	No	----- No/Minor Fiscal Impact -----						0046
<u>Fund Code</u>	<u>Title</u>									
0046	Public Transportation Account, STF									